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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,628	04/09/2004	Helmut Harrer	12484/3

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610



CONFIRMATION NO. 8931

## FORMALITIES LETTER



\*OC000000013083538\*

Date Mailed: 06/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

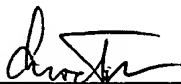
Replies should be mailed to: Mail Stop Missing Parts  
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08/06/2004 BABRAHA1 00000026 10821628

01 FC:1001 770.00 OP  
 02 FC:1051 130.00 OP

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "D. J. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 3, 2004Name: John C. FreemanSignature: *John C. Freeman*

BRINKS  
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& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: Helmut HarrerU.S. Patent Application Serial  
No.: 10/821,628Art Unit: 2855U.S. Filing  
Date: April 9, 2004For: POSITION MEASURING SYSTEMExaminer: unassignedAttorney Docket No: 12484/3

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

☒ Copy of Notice To File Missing Parts Of Nonprovisional Application Filed Under 37 CFR 1.53(b) Filing Date Granted; Declaration and Power of Attorney For Patent Application; Assignment Cover Sheet; Assignment (true copy); and certified copy of German Pat. Appln. No. 103 16 870.2, filed 04-11-03.

☒ Return Receipt Postcard

## Fee calculation:

☐ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

## Fee payment:

☒ A check in the amount of \$900.00 to cover the filing fee of \$770.00 and surcharge of \$130.00 is enclosed.

☒ A check in the amount of \$40.00 to cover the Assignment Recordal filing fee is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.

- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

August 3, 2004  
August 8, 2004

John Q. Freeman  
John Q. Freeman (Reg. No. 34,483)